

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 9206 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE C.K.THAKKER and  
MR.JUSTICE A.L.DAVE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
  2. To be referred to the Reporter or not?
  3. Whether Their Lordships wish to see the fair copy of the judgement?
  4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
  5. Whether it is to be circulated to the Civil Judge?

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JAY INTERNATIONAL

Versus

UNION OF INDIA

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Appearance:

MR DV PARIKH for Petitioner

MR PB MAJMUDAR for Respondent No. 1, 2, 3

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CORAM : MR.JUSTICE C.K.THAKKER and  
MR.JUSTICE A.L.DAVE

Date of decision: 19/11/98

ORAL JUDGEMENT

Rule. Mr. P.B. Majmudar, learned Standing Counsel for Central Government appears and waives service of Rule. In the facts and circumstances of the case, the matter is taken up for final hearing today.

This petition is filed by the petitioner to issue

a writ of mandamus or any appropriate direction, directing the respondent authorities to permit clearance of seat covers imported by the petitioner and as entered in Bill of Entry No.702/98 dated September 29, 1998. In pursuance of notice issued earlier, we have heard the parties and we are disposing the matter finally today.

Mr. Majmudar stated that the adjudication proceedings regarding assessment will be completed within a period of one month from today after hearing the petitioner. It is directed that, in the meanwhile, the respondent authorities will permit provisional clearance of goods on furnishing Bank Guarantee as well as Bond by the petitioner to the satisfaction of the authorities. Communication to that effect will be sent to the petitioner latest by 24th November, 1998. Rule is made absolute to the above extent. No order as to costs. Liberty to apply in case of difficulty.

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